THE HON'BLE MR. JUSTICE V.V.S. RAO

THURSDAY, THE 17TH DAY OF NOVEMBER, 2005

W.P.No. 24249 of 2005

Between:-

Syed Manzoor Mukthadar

--Petitioner

And

The Mandal Revenue Officer, Moinabad Mandal, Ranga Reddy district and another.

--Respondents

Oral order:- (W.P.No. 24249 of 2005)

The petitioner claims that he purchased land in an extent of Ac.3-00 in survey No. 632/Kha of Chilukuru village, Moinabad mandal, Ranga Reddy district from one Uppalagalla Ramulamma under a registered sale deed dated 10-03-1989 for a sale consideration of Rs. 12,600-00. He alleges that on 10-11-2005, the 1st respondent served a notice on the workers of the petitioner stating that the petitioner purchased the 'assigned land' in contravention of the Assignment Rules and also threatened to take possession on 11-11-2005. The petitioner alleges that the 2nd respondent issued orders on 29-10-2005 under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977 (for short 'the Act') ordering resumption of the land and that such order was issued without issuing any notice to the petitioner. Therefore, he seeks a writ of Mandamus declaring the impugned order as illegal and arbitrary.

The matter was initially listed before this court for preliminary hearing on 11-11-2005. This court directed the learned Assistant Government Pleader for Revenue (Land Acquisition) to get instructions in the matter. Today, the learned Assistant Government Pleader produced a file of notices served on various persons, who purchased the assigned lands. It appears a notice was also served on the petitioner before passing the impugned order. Be that as it is, as this is a matter seriously disputed by the petitioner's counsel and petitioner has an effective alternative remedy by way of an appeal under Section 4(A) of the Act, this Court, without expression any opinion, considered it appropriate to dispose of the matter in the following manner:

Ten (10) days time is granted to the petitioner to prefer an appeal to the Revenue Divisional Officer, Chevella, Ranga Reddy district, who is directed to receive the appeal and dispose of the same in accordance with law, within a period of eight (8) weeks thereafter.

Learned Assistant Government Pleader, placing reliance on the panchanama, submits that pursuant to the impugned order, the respondents have taken possession of the land on 10-11-2005. This is strongly refuted by the learned counsel for the petitioner. Therefore, to enable the petitioner to obtain appropriate interim orders from the appellate authority, there shall be an order of *status-quo* as to the possession of the land as on today for a period of two (2) weeks. It is open to the petitioner to obtain appropriate interim orders from the Revenue Divisional Officer.

The writ petition, with the above observations, is disposed of. No costs.

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V.V.S. RAO, J

Dated: 17-11-2005

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